



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,525	11/13/2001	Jonathan S. Goldick	MS1711.1/40062.123US01	8013
27488	7590	08/08/2006	EXAMINER	
MERCHANT & GOULD (MICROSOFT)			BOUTAH, ALINA A	
P.O. BOX 2903			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55402-0903			2143	

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,525

Applicant(s)

GOLDICK, JONATHAN S.

Examiner

Alina N Boutah

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/16/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This action is in response to Applicant's amendment filed May 16, 2006. Claims 1-17 are pending in the present application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,510,478 issued to Jeffords et al. (hereinafter referred to as Jeffords) in view of USPN 6,026,401 issued to Brealey et al. (hereinafter referred to as Brealey).

Regarding claim 1, Jeffords teaches a method of modifying properties of a lock associated with a resource in a distributed environment, wherein the lock has a lock owner, the method comprising:

receiving a request to modify the lock, wherein the request originates from a requesting client computer system (abstract; figure 5, 502);

analyzing the request to determine whether the request is made by the lock owner (figure 5, 504; ; col. 2, lines 55-65); and

Art Unit: 2143

if the request is made by the lock owner, modifying the lock (abstract, figure 5; col. 2, lines 41-42; col. 3, line 65 to col. 4, line 18).

However, Jeffords does not explicitly teach modifying at least one property associated with the lock. In an analogous art, Brealey teaches modifying a lock property (abstract; figures 9 and 10; col. 8 line 42 to col. 9, line 39).

At the time the invention was made, one of ordinary skill in the art would have been motivated enable modification of lock properties in order to guard against overlapping modifications between concurrent users, thus decrease the likelihood that data will be in incomprehensible state (abstract).

Regarding claim 2, Jeffords teaches the method as defined in claim 1 wherein the method further comprises:

following the determination of whether the request is made by the lock owner, determining whether the resource is locked by another client computer system that may conflict with the requested modification (abstract; figure 5); and

if the resource is locked by a conflicting lock, denying the received request (col. 2, line 45-47).

Regarding claim 3, Jeffords fails to explicitly teach a method as defined in claim 1 wherein the request relates to modifying the lock type property. Brealey teaches modifying a lock property (abstract; figures 9 and 10; col. 8 line 42 to col. 9, line 39).

Art Unit: 2143

At the time the invention was made, one of ordinary skill in the art would have been motivated enable modification of lock properties in order to guard against overlapping modifications between concurrent users, thus decrease the likelihood that data will be in incomprehensible state (abstract).

Regarding claim 4, Jeffords does not teach a method as defined in claim 1 wherein the request relates to the modification of the lock scope property. Brealey teaches modifying a lock property (abstract; figures 9 and 10; col. 8 line 42 to col. 9, line 39).

At the time the invention was made, one of ordinary skill in the art would have been motivated enable modification of lock properties in order to guard against overlapping modifications between concurrent users, thus decrease the likelihood that data will be in incomprehensible state (abstract).

Regarding claim 5, Jeffords teaches a method as defined in claim 1 wherein the request relates to the modification of a lock ownership (abstract, figure 5; col. 2, lines 41-42).

Regarding claim 6, Jeffords teaches a computer program product readable by a computer and encoding instructions for executing the method recited in claim 1 (claim 34).

Regarding claim 7, Jeffords teaches a computer program product readable by a computer and encoding instructions for executing the method recited in claim 5 (claim 34).

Regarding claim 8, Jeffords teaches a computer-readable medium having stored thereon a locked resource, wherein the locked resource comprises:

a resource object data section for storing actual object data (abstract; col. 3, line 65 to col. 4, line 18);

a lock object, wherein the lock object comprises a plurality of properties, wherein a first property identifies a lock owner, and wherein the properties may be modified by the lock owner (abstract; figures 5-10; col. 2, lines 35-62).

Regarding claim 9, Jeffords teaches a computer-readable medium as defined in claim 8 wherein a second property relates the resource object and wherein the second property may be modified by the lock owner to associate the lock object with a second resource object (col. 3, line 65 to col. 4, line 18).

Regarding claim 10, Jeffords teaches a computer-readable medium as defined in claim 8 wherein the lock owner may modify the first property relating to lock ownership to transfer the lock object to a second owner (figure 5).

Regarding claim 11, Jeffords teaches a system for modifying a lock object in a distributed environment, the distributed environment having a plurality of resources and wherein at least one resource is associated with the lock object, the system comprising:

a receive module for receiving a resource request from a requesting process, wherein the request includes modification information (abstract; figure 5, 502);

Art Unit: 2143

a determination module for determining whether the requesting process owns the lock object associated with the resource (figure 5, 504; col. 2, lines 55-65); and

an update module for modifying the lock object upon a determination that the requesting process owns the lock object (abstract, figure 5; col. 2, lines 41-42; col. 3, line 65 to col. 4, line 18).

However, Jeffords does not explicitly teach modifying at least one property associated with the lock. In an analogous art, Brealey teaches modifying a lock property (abstract; figures 9 and 10; col. 8 line 42 to col. 9, line 39).

At the time the invention was made, one of ordinary skill in the art would have been motivated enable modification of lock properties in order to guard against overlapping modifications between concurrent users, thus decrease the likelihood that data will be in incomprehensible state (abstract).

Regarding claim 12, Jeffords teaches a system as defined in claim 11 wherein the determination module also determines whether there is a conflicting lock associated with the requested resource and wherein the update module does not modify the lock object upon a determination that a conflicting lock exists (col. 2, line 45-47). However, Jeffords does not explicitly teach modifying at least one property associated with the lock. In an analogous art, Brealey teaches modifying a lock property (abstract; figures 9 and 10; col. 8 line 42 to col. 9, line 39).

At the time the invention was made, one of ordinary skill in the art would have been motivated enable modification of lock properties in order to guard against overlapping

Art Unit: 2143

modifications between concurrent users, thus decrease the likelihood that data will be in incomprehensible state (abstract).

Regarding claim 13, Jeffords teaches a system as defined in claim 11 wherein the lock object has a lock type property, and wherein the update module modifies the lock type property (figure 3). However, Jeffords does not explicitly teach modifying at least one property associated with the lock. In an analogous art, Brealey teaches modifying a lock property (abstract; figures 9 and 10; col. 8 line 42 to col. 9, line 39).

At the time the invention was made, one of ordinary skill in the art would have been motivated enable modification of lock properties in order to guard against overlapping modifications between concurrent users, thus decrease the likelihood that data will be in incomprehensible state (abstract).

Regarding claim 14, Jeffords teaches a system as defined in claim 12 wherein the lock object has a lock scope property, and wherein the update module modifies the lock scope property (col. 4, lines 41-65). However, Jeffords does not explicitly teach modifying at least one property associated with the lock. In an analogous art, Brealey teaches modifying a lock property (abstract; figures 9 and 10; col. 8 line 42 to col. 9, line 39).

At the time the invention was made, one of ordinary skill in the art would have been motivated enable modification of lock properties in order to guard against overlapping modifications between concurrent users, thus decrease the likelihood that data will be in incomprehensible state (abstract).

Art Unit: 2143

Regarding claim 15, Jeffords teaches a system as defined in claim 11 wherein the lock object has a lock ownership property, and wherein the update module modifies the lock ownership property to thereby transfer the lock object from one process to another (figure 9; col. 9, lines 17-41). However, Jeffords does not explicitly teach modifying at least one property associated with the lock. In an analogous art, Brealey teaches modifying a lock property (abstract; figures 9 and 10; col. 8 line 42 to col. 9, line 39).

At the time the invention was made, one of ordinary skill in the art would have been motivated enable modification of lock properties in order to guard against overlapping modifications between concurrent users, thus decrease the likelihood that data will be in incomprehensible state (abstract).

Regarding claim 16, Jeffords teaches a system as defined in claim 11 further comprising a transfer module for transferring ownership of the lock object from the requesting process to another process (figure 9; col. 9, lines 17-41).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jeffords in view of Brealey, in further view of Applicant's admitted prior art.

Regarding claim 17, Jeffords fails to explicitly teach a system as defined in claim 11 wherein the requesting process communicates with the receive module using Web Distributed Authoring and Versioning protocol. Applicant's admitted prior art teaches a requesting process communicating with received modules using Web Distributed Authoring and Versioning

Art Unit: 2143

protocol (specification, page 2). At the time the invention was made, one of ordinary skill in the art would have been motivated to enable the requesting process to communicate with the receive module using Web Distributed Authoring and Versioning Protocol (WebDAV) in order to allow client computer systems to access server-side resources for the purpose of editing those resources.

Response to Arguments

Applicant's arguments with respect to claims 1-17 have been considered but are not found persuasive.

In response to Applicant's argument that Brealey fails to teach "request to modify at least one property associated with the lock" as claimed, the PTO respectfully submits that this feature is taught by Brealey in figures 9 and 10, abstract; and col. 8 line 42 to col. 9, line 39 as cited. As it is well known in the art, a lock possesses a property or an attribute, in this case shared and exclusive (figure 10: 102 and 104). Figure 9 is a state diagram showing locking states of objects. The construction and destruction of the lock object is interpreted as modifying lock property as claimed.

Applicant employs broad language, which includes the use of word, and phrases, which have broad meanings in the art (i.e. "lock property"). In addition, Applicant has not amended the claims significantly enough to construe a narrower meaning to the limitations. As the claims breadth allows multiple interpretations and meanings, which are broader than Applicant's disclosure, the Examiner is forced to interpret the claim limitations as broadly and as reasonably possible, in determining patentability of the disclosed invention. Although the claims are

Art Unit: 2143

interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir.1993).

Failure for Applicant to significantly narrow definition/scope of the claims implies that Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims with scope parallel to the Applicant in the response, and reiterates the need for the Applicant to more clearly and distinctly, define the claimed invention.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N. Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

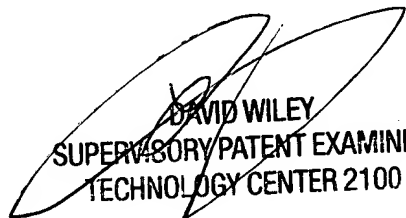
Art Unit: 2143

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ANB

ANB


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100